

PERMIT APPLICATION: NRS #08.197

APPLICANT: James E. Varallo
Cumberland Yacht Harbor, LLC
643 Spence Lane
Nashville, TN 37217
(615) 360-2044

LOCATION: Project is located at Mile 194.5 of the Cumberland River at Mill Creek. The property is bounded by Lebanon Road (Highway 70) to the south, Nashville Eastern Railroad to the north, Mill Creek to the west and Donelson Hills subdivision to the east in the Donelson community; Nashville, Davidson County.

WATERSHED DESCRIPTION: Surrounding land use is primarily. The subject property is primarily old farm land. Large mature trees occur along Mill Creek. This portion of Mill Creek is impounded or backwater of the Cumberland River/ Cheatham Reservoir. The Cheatham Reservoir is on the final 2008 303(d) list. The pollutant sources are combined sewer overflows and MS4 discharges. It has been determined not to be exceptional Tennessee waters. The proposed project lies within the Cheatham Reservoir HUC 05130202.

PROJECT DESCRIPTION: The applicant was issued a water quality certification NRS 03.023 on February 2, 2004. The certification expires on February 2, 2009. Since no work has been initiated and cannot be performed prior to the expiration date, the applicant has applied for new permit. The proposed work has not changed and is as follows:

The construction of a commercial marina at Mill Creek mile 0.2. shall require the excavation of approximately 600,000 cubic yards of material from an 12.8 acre upland area adjacent to the east bank of Mill Creek. The excavated and dredged material will be used in onsite construction with the excess material disposed of in a field adjacent to the west bank.

The construction of the harbor and marina will also impact approximately 2,900 linear feet of the east bank of Mill Creek with no impact other than a pedestrian bridge proposed to the west bank. Dredging of the creek channel is required to provide and average channel depth of 7-feet and an average marina depth of 10-feet.

Approximately 0.3 acres of isolated jurisdictional wetland will be impacted. The applicant has purchased credits from the Harpeth Wetland Mitigation Bank as compensatory mitigation. Material will be excavated from the harbor basin in the dry by leaving a levee between Mill Creek and the excavation. Floating silt curtains and numerous other erosion control measures will be utilized. The applicant will compensate for the loss of riparian habitat along Mill Creek with revegetation, bank stabilization, habitat conservation, storm water pollution plans, trash clean-up.

PERMIT COORDINATOR: Mike Lee

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TOPOGRAPHICAL QUADRANGLE: Nashville East 311 NW
Lat 36 09.958 Long 86 42.146

No decision has been made whether to issue or deny this permit. The purpose of this notice is to inform interested parties of this permit application and to ask for comments and information necessary to determine possible impacts to water quality. Persons wishing to comment on the proposal are invited to submit written comments to the department. Written comments must be received within **thirty days of the date that this notice is posted**. Comments will become part of the record and will be considered in the final decision. The applicant's name and permit number should be referenced.

Interested persons may also request in writing that the department hold a public hearing on this application. The request must be filed within the comment period, indicate the interest of the person requesting it, the reasons that the hearing is warranted, and the water quality issues being raised. When there is sufficient public interest in water quality issues, the department will hold a public hearing.

The permit application, supporting documentation including detailed plans and maps, and related comments are available at the department's address for review and/or copying. The department's address is:

Tennessee Department of Environment & Conservation
Division of Water Pollution Control, Natural Resources Section
7th Floor L & C Annex
401 Church Street
Nashville, TN 37243

In deciding whether to issue or deny a permit, the department will consider all comments on record and the requirements of applicable federal and state laws.

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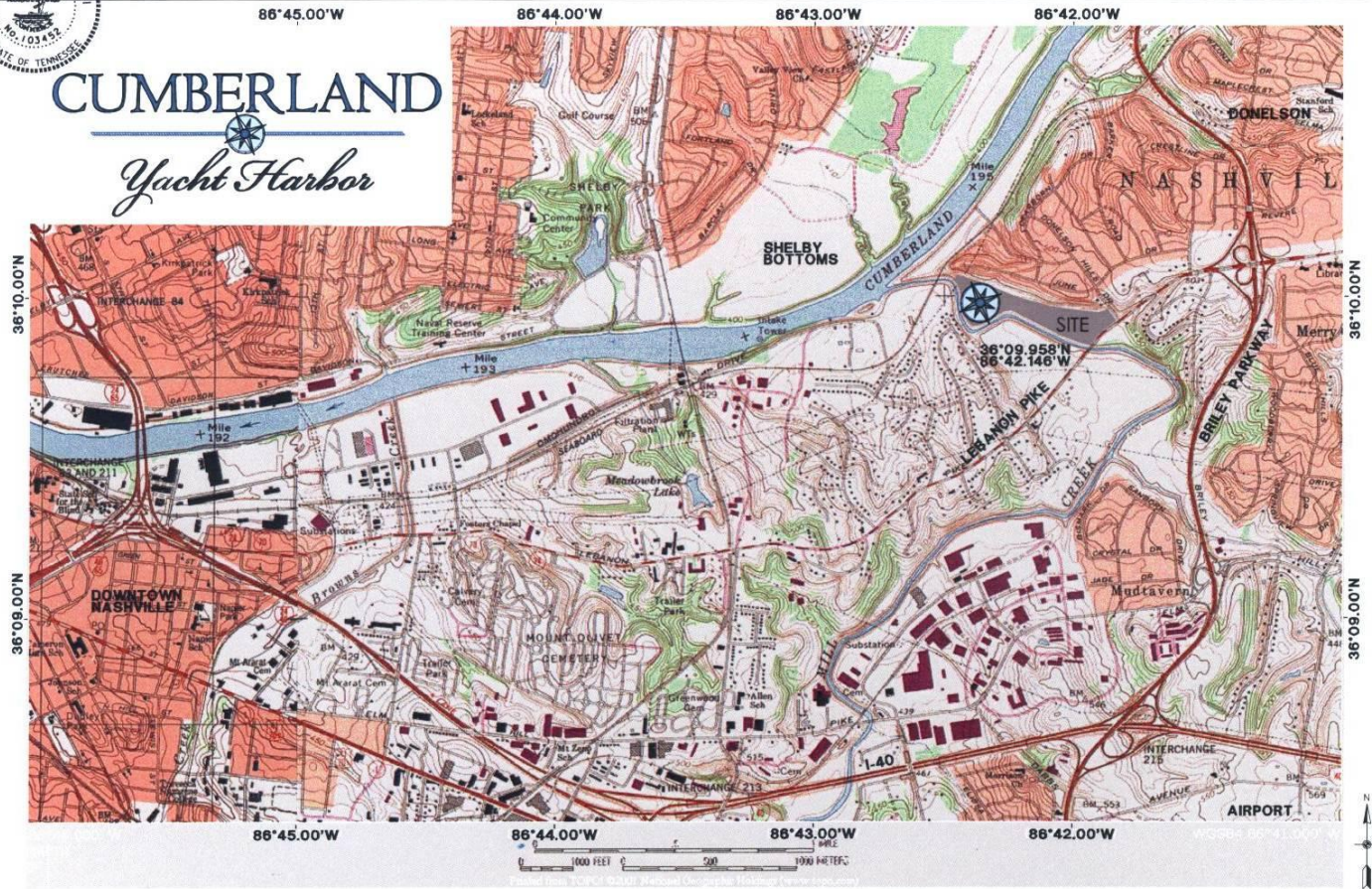
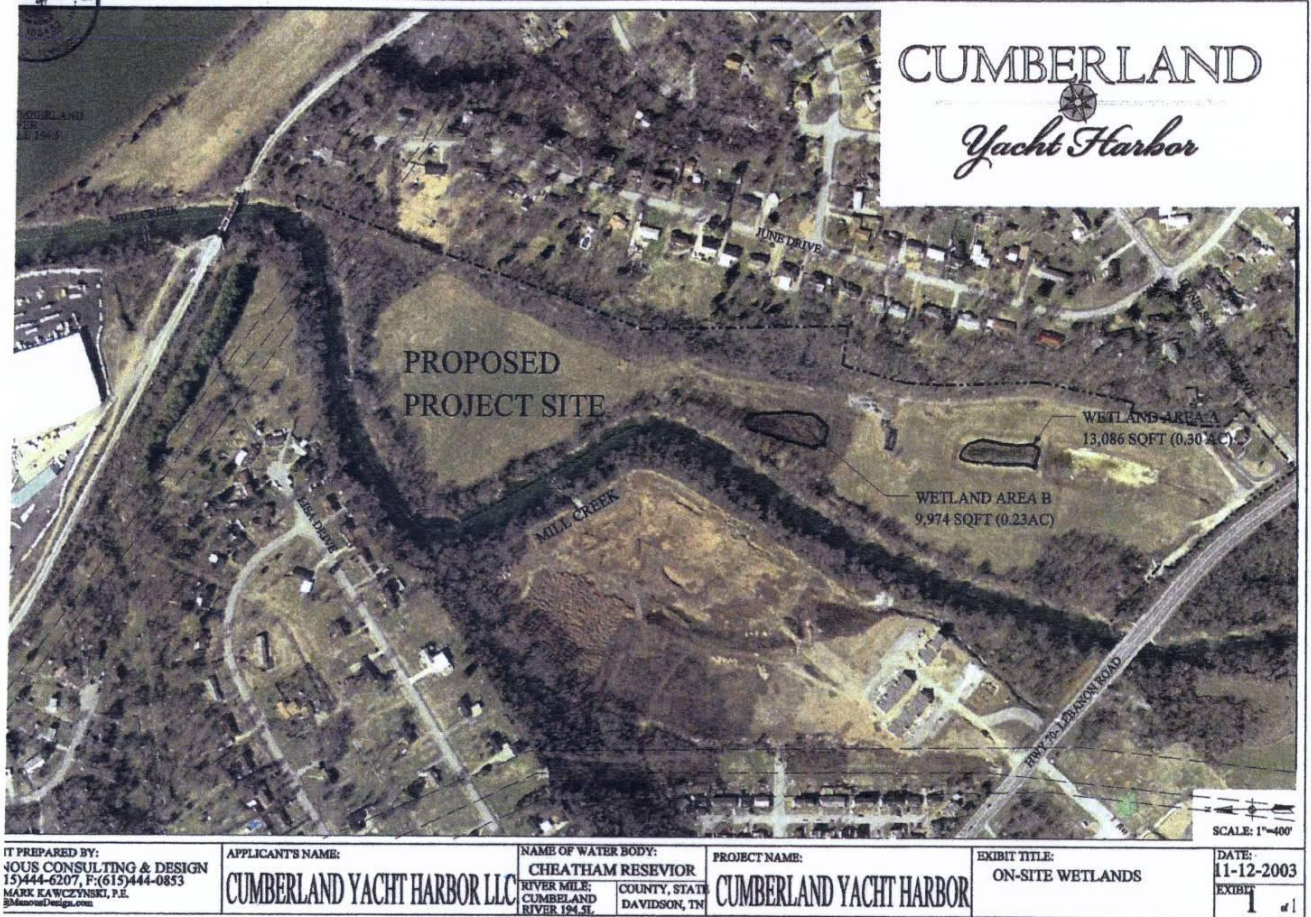


EXHIBIT PREPARED BY: MANOUS CONSULTING & DESIGN V: (615) 444-6207, F: (615) 444-0853 POC: MARK KAWCZYNSKI, P.E. Mark@ManousDesign.com	APPLICANT'S NAME: CUMBERLAND YACHT HARBOR LLC.	NAME OF WATER BODY: CHEATHAM RESEVIOR RIVER MILE: CUMBERLAND RIVER 194.5L	PROJECT NAME: CUMBERLAND YACHT HARBOR	EXHIBIT TITLE: VICINITY MAP	DATE: 1-10-2003 EXHIBIT 1 of 26
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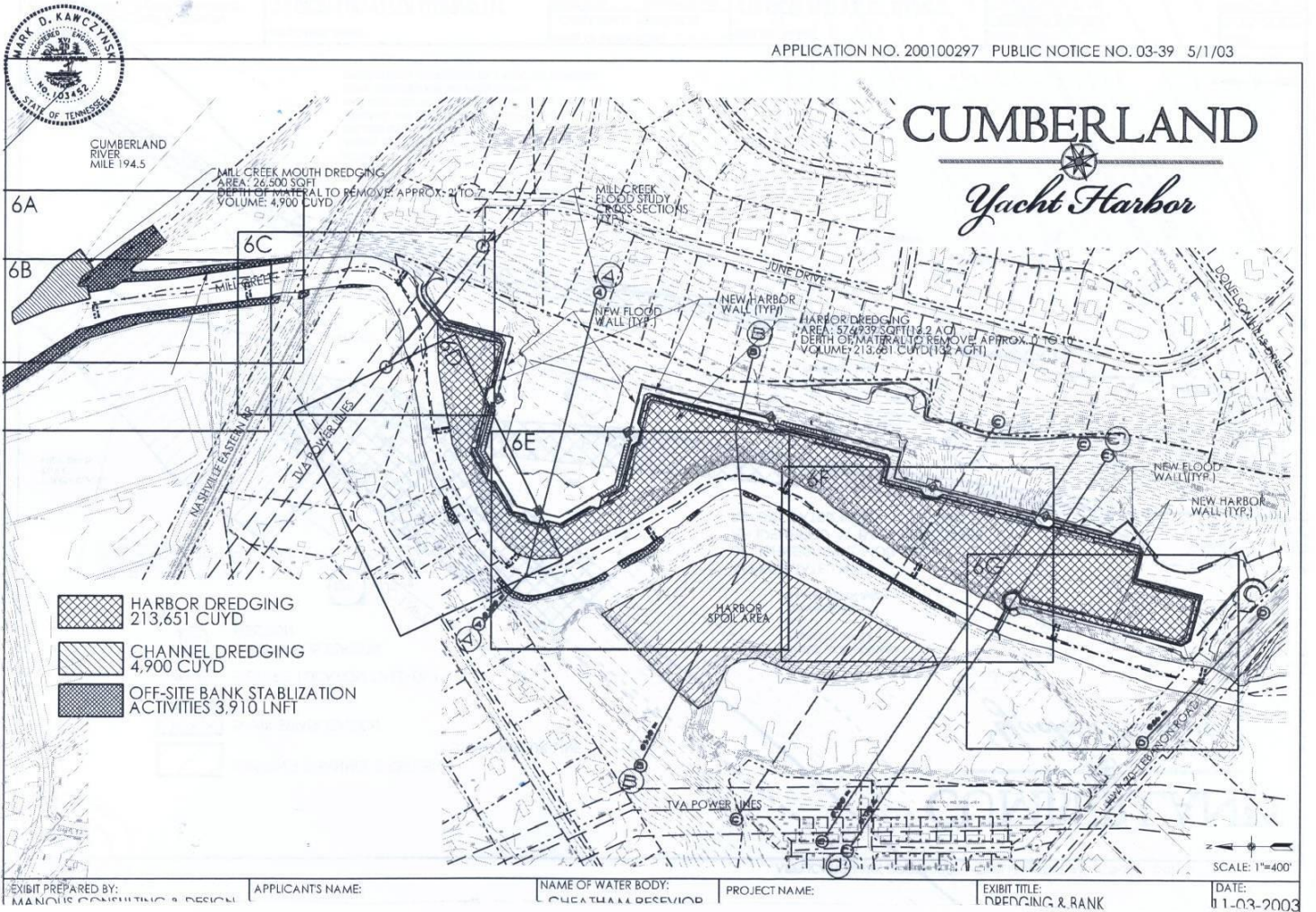
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Figure 1

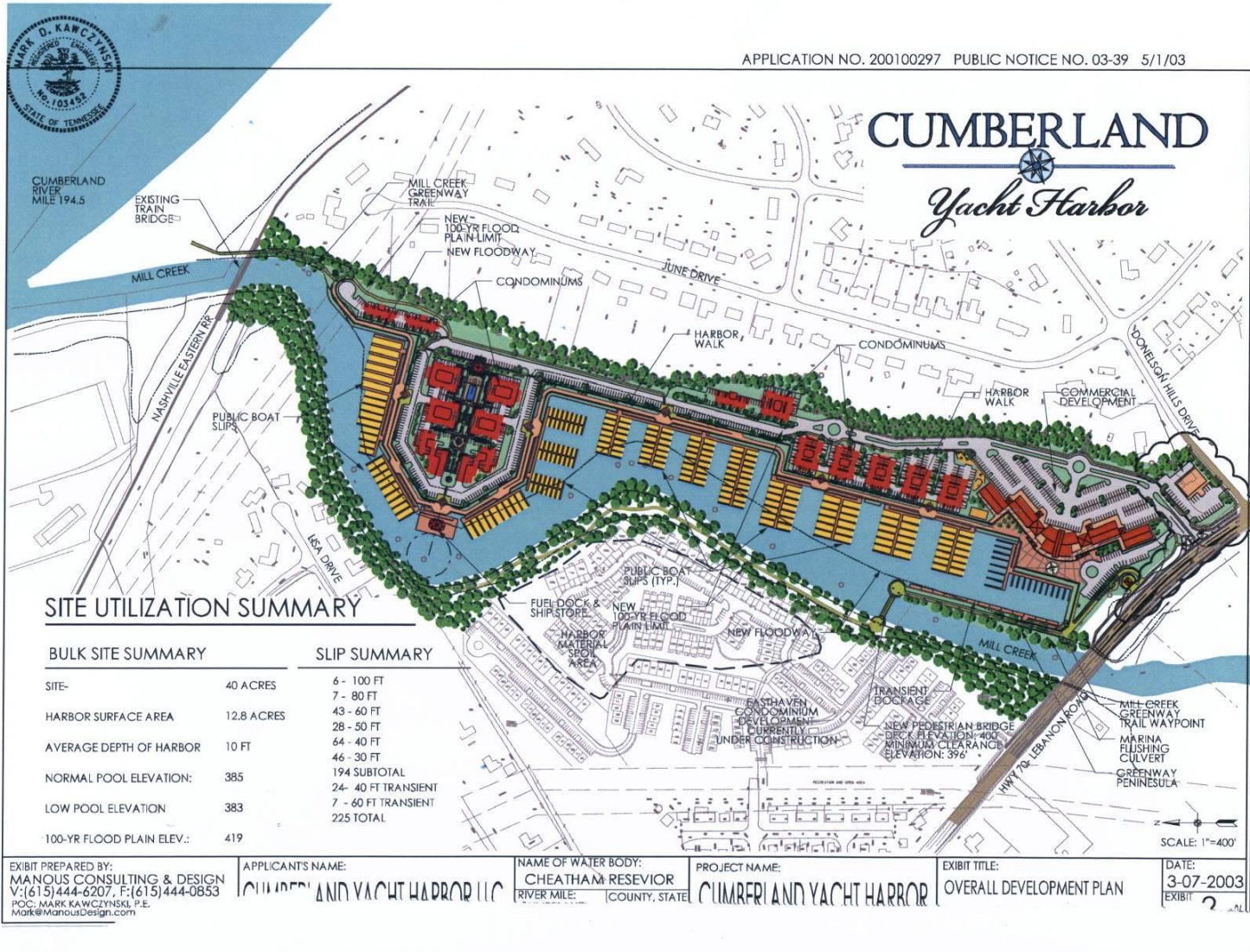
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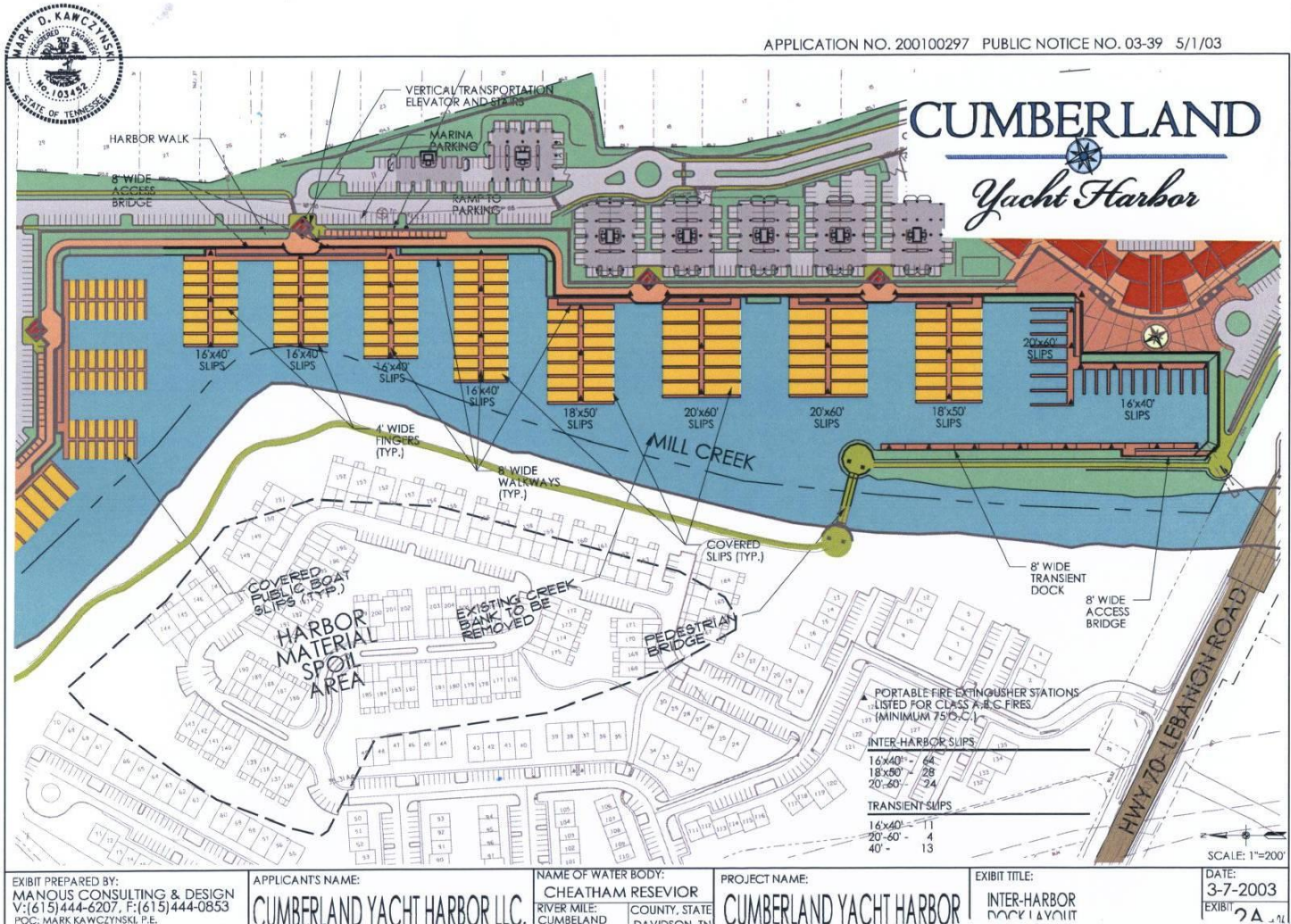
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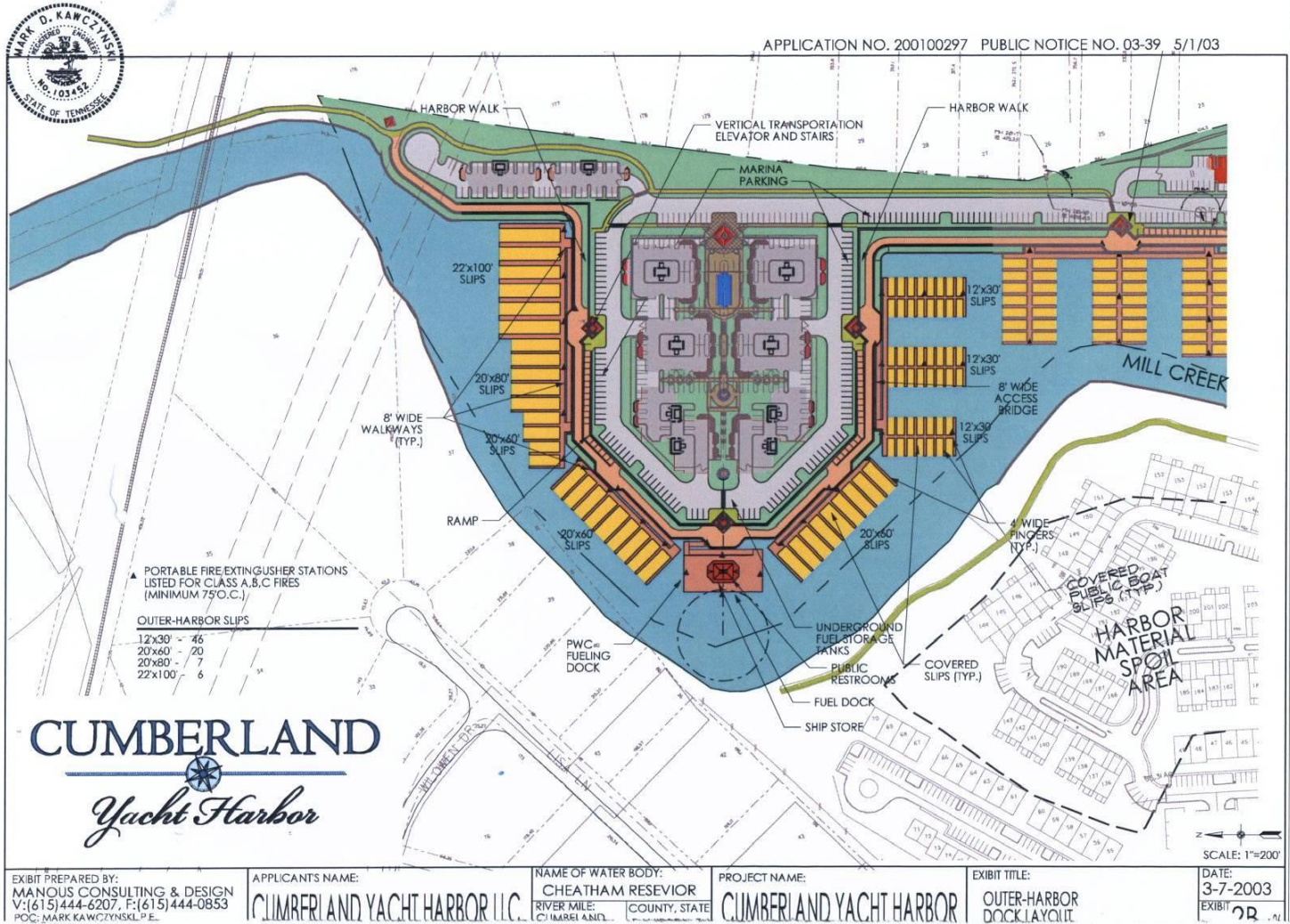
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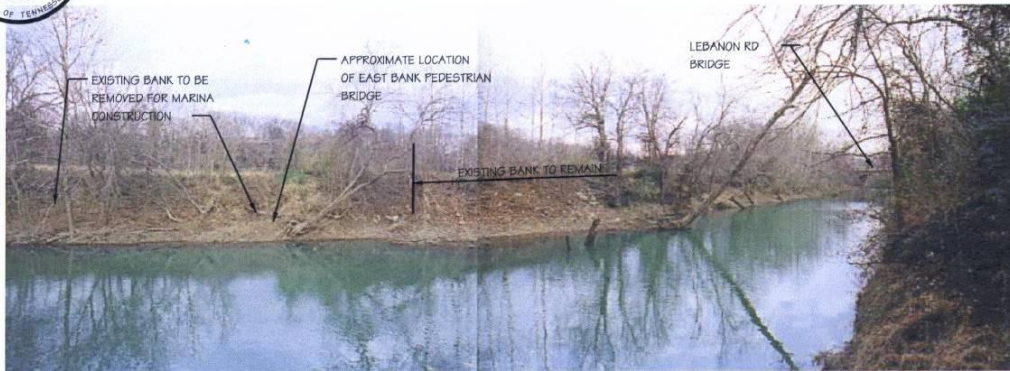
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VIEW EAST FROM WEST BANK PEDESTRIAN BRIDGE LOCATION TO SUBJECT SITE

CUMBERLAND

Yacht Harbor

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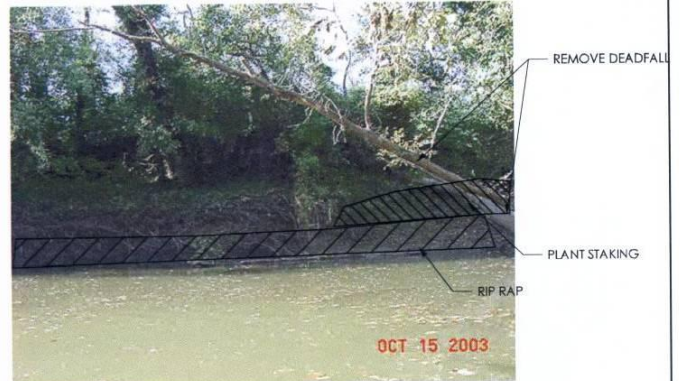
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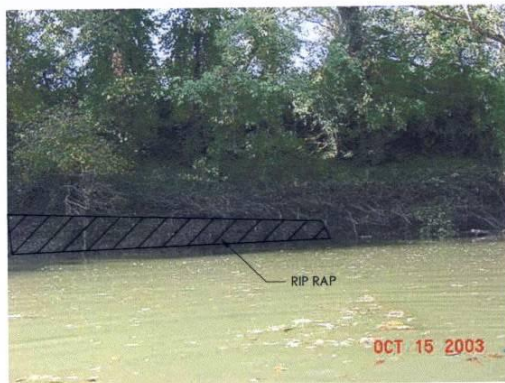
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43A STA 30+00L



43B STA 31+00L



43C STA 31+50L



43D STA 31+75L

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APPLICANT'S NAME:
CUMBERLAND YACHT HARBOR LLC.

NAME OF WATER BODY:
 CHEATHAM RESEVIOR
 RIVER MILE:
 CUMBERLAND RIVER 194.5L
 COUNTY, STATE
 DAVIDSON, TN

PROJECT NAME:
CUMBERLAND YACHT HARBOR

EXHIBIT TITLE:
 BANK STABILIZATION
 PICTURES

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 1-10-2003
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DATE:
3-7-2003
EXHIBIT 2A

